

1 LAURA E. DUFFY  
2 United States Attorney  
3 BRUCE C. SMITH  
4 Assistant U.S. Attorney  
5 California State Bar No. 078225  
6 Federal Office Building  
7 880 Front Street, Room 6293  
8 San Diego, California 92101-8893  
9 Telephone: (619) 546-8266  
10 E-mail: bruce.smith@usdoj.gov

11  
12 Attorneys for Plaintiff  
13 United States of America

14 UNITED STATES DISTRICT COURT

15 SOUTHERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA, ) Case No. 12cv1029-LAB(WMC)  
17 )  
18 Plaintiff, ) JOINT MOTION FOR  
19 ) JUDGMENT OF FORFEITURE  
20 v. )  
21 )  
22 ONE 2007 CADILLAC ESCALADE, )  
23 CA LICENSE NO. 6NJA222, )  
24 VIN: 1GYFK63817R296249, )  
25 ITS TOOLS AND APPURTENANCES, )  
26 )  
27 Defendant. )  
28 \_\_\_\_\_)

1 The United States of America, by and through its attorneys,  
2 Laura E. Duffy, United States Attorney, and Bruce C. Smith, Assistant  
3 U.S. Attorney, and the claimant, Marie Arredondo, and Attorney  
4 Richard M. Barnett, counsel for claimant, stipulate as follows:

5 1. The parties have entered into this stipulation in order to  
6 resolve the matter of the seizure and forfeiture of the defendant  
7 2007 Cadillac Escalade.

8 2. The parties have agreed to a settlement of this matter which  
9 is described as follows:

10 A. On or before July 27, 2012, claimant Marie Arredondo  
11 shall pay to the United States, in the form of a cashier's check, the  
12 full amount of the costs incurred by the United States for the seizure

1 and storage of the defendant 2007 Cadillac Escalade. Upon full and  
2 satisfactory payment, the United States shall return the defendant  
3 2007 Cadillac Escalade to claimant Marie Arredondo.

4           B. If claimant's payment is made on or before June 28,  
5 2012, claimant shall pay to the United States the amount of \$825.46  
6 in the form of a cashier's check, made payable to the United States  
7 Customs and Border Protection.

8           C. If claimant's payment is made after June 28, 2012, but  
9 before July 13, 2012, claimant shall pay to the United States the  
10 amount of \$866.71 in the form of a cashier's check, made payable to  
11 the United States Customs and Border Protection.

12          D. If claimant's payment is made after July 13, 2012, but  
13 before July 27, 2012, claimant shall pay to the United States the  
14 amount of \$905.21 in the form of a cashier's check, made payable to  
15 the United States Customs and Border Protection.

16          E. Upon receipt of full and satisfactory payment, the  
17 United States Customs and Border Protection shall return the defendant  
18 2007 Cadillac Escalade to claimant, Marie Arredondo.

19          3. Claimant Marie Arredondo agrees that by entering into this  
20 stipulation, she has not "substantially prevailed" within the meaning  
21 of Title 28, United States Code, Section 2465.

22          4. The person or persons who made the seizure or the prosecutor  
23 shall not be liable to suit or judgment on account of such seizure in  
24 accordance with Title 28, United States Code, Section 2465.

25          5. The terms of this settlement do not affect the tax  
26 obligations, fines, penalties, or any other monetary obligations  
27 claimant Marie Arredondo may owe to the United States.

28          6. The parties to this settlement agree that each will bear

1 their own attorney's fees and costs.

2       7. Claimant Marie Arredondo, her agents, employees, or assigns,  
3 shall hold and save harmless the United States of America, its agents  
4 and employees, from any and all claims which might result from the  
5 seizure of one or all of the defendant 2007 Cadillac Escalade.

6

7                     LAURA E. DUFFY  
8                     United States Attorney

9                     \_\_\_\_\_  
10                  BRUCE C. SMITH  
11                  Assistant U.S. Attorney

12                  DATED: JUNE 25, 2012

13                  DATED: 6-25-12

14                  DATED: 6-18-12

15                  \_\_\_\_\_  
16                  RICHARD M. BARNETT  
17                  Attorney for Claimant  
18                  Marie Arredondo

19                  \_\_\_\_\_  
20                  MARIE ARREDONDO  
21                  Claimant

22

23

24

25

26

27

28